

REMARKS

In the Office Action mailed January 2, 2003, the Examiner rejected Claims 1-27 under 35 U.S.C. § 102(a) as being anticipated by Li (WO 97/49136, published December 24, 1997) ("Li"). To the extent that the rejection applies to the amended claims, Applicants respectfully traverse the rejection.

Applicants respectfully submit that Li is directed to cathodic materials in lithium ion battery cells which have an inner lithiated metal oxide core and a lithium ion conductor coating surrounding the core. Applicants respectfully submit that the coating of Li is referred to as, "the lithium ion conductor," where the conductor includes lithium. (Li, page 13, lines 1-19.)

Applicants respectfully submit that independent Claims 1, 8, 12, 18, and 24 recite the limitation of a positive active material having a core and a coating on the core where the coating is free from lithium.

Applicants respectfully submit that Li does not teach or suggest the desirability of a coating free from lithium.

Applicants respectfully submit that dependent Claims 2-7, 9-11, 13-17, 19-23, and 25-27 are dependent upon independent allowable Claims 1, 8, 12, 18, and 24, respectively, discussed above. Applicants respectfully request that the Examiner withdraw the rejection to Claims 1-27 under 35 U.S.C. § 102(a) as being anticipated by Li.

In the Office Attached hereto is a marked-up version of the changes made to the claims by the current Amendment. The attachment is captioned, "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

CONCLUSION

In view of the forgoing, it is believed that all claims now pending are in proper form and are neither obvious nor anticipated by the relied-upon art of record and are in

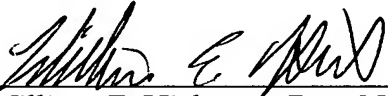
condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

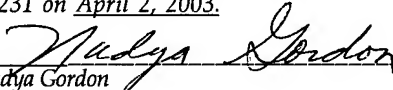
Dated: April 2, 2003

By: 
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CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited as First Class Mail with the United States Postal Service in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on April 2, 2003.

 4/2/03
Nadya Gordon Date



VERSION WITH MARKINGS TO SHOW CHANGES MADE

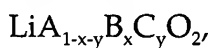
IN THE CLAIMS

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The claims are amended as follows.

1. (Amended) A positive active material for a rechargeable lithium battery comprising:
a core comprising at least one compound represented by Formula 1; and
an active metal oxide shell formed on the core, the metal oxide being capable of stabilizing a structure of the active material, and the metal oxide being free from lithium:

Formula 1



where $0 \leq x \leq 0.3$, $0 \leq y \leq 0.01$;

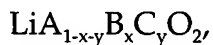
A is an element selected from the group consisting of Co and Mn;

B is an element selected from the group consisting of Ni, Co, Mn, B, Mg, Ca, Sr, Ba, Ti, V, Cr, Fe, Cu and Al; and

C is an element selected from the group consisting of Ni, Co, Mn, B, Mg, Ca, Sr, Ba, Ti, V, Cr, Fe, Cu and Al.

8. (Amended) A rechargeable lithium battery comprising a positive active material, the positive active material comprising a core comprising at least one compound represented by Formula 1 and an active metal oxide shell formed on the core, the active metal oxide being capable of stabilizing a structure of the active material, and the active metal oxide being free from lithium:

Formula 1



where $0 \leq x \leq 0.3$, $0 \leq y \leq 0.01$;

A is an element selected from the group consisting of Co and Mn;

B is an element selected from the group consisting of Ni, Co, Mn, B, Mg, Ca, Sr, Ba, Ti, V, Cr, Fe, Cu and Al; and

C is an element selected from the group consisting of Ni, Co, Mn, B, Mg, Ca, Sr, Ba, Ti, V, Cr, Fe, Cu and Al.

12. (Amended) A positive active material for a rechargeable lithium battery comprising:

a core comprising LiCoO_2 ; and

an active metal oxide shell formed on the core, the active metal oxide shell being free from lithium.

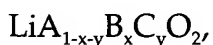
18. (Amended) A positive active material for a rechargeable lithium battery prepared by producing a crystalline powder or a semi-crystalline powder of Formula 1;

coating the crystalline powder or the semi-crystalline powder with a metal alkoxide suspension; and

heat-treating the coated powder,

the positive active material comprising a core and an active metal oxide shell formed on the core, the metal oxide being capable of stabilizing the structure of the active material, and the metal oxide being free from lithium:

Formula 1



where $0 \leq x \leq 0.3$, $0 \leq y \leq 0.01$;

A is an element selected from the group consisting of Co and Mn;

B is an element selected from the group consisting of Ni, Co, Mn, B, Mg, Ca, Sr, Ba, Ti, V, Cr, Fe, Cu and Al; and

C is an element selected from the group consisting of Ni, Co, Mn, B, Mg, Ca, Sr, Ba, Ti, V, Cr, Fe, Cu and Al.

24. (Amended) A positive active material for a rechargeable lithium battery comprising:

a core comprising LiCoO_2 ; and

an active Al_2O_3 shell formed on the core, the Al_2O_3 shell being free from lithium.